

AGENDA: May 25, 2004

4.6

CATEGORY: Consent

DEPT.: City Manager

TITLE: Shoreline Amphitheatre – Request for Late Concert End Time

RECOMMENDATION

Approve a request submitted by Shoreline Amphitheatre and Clear Channel Entertainment (CCE) to end after-concert activities associated with the Who concert scheduled for Saturday, August 7, 2004, later than the ending time prescribed in the Amphitheatre Lease and Agreement between the City of Mountain View and Shoreline Amphitheatre Partners.

FISCAL IMPACT

There is no fiscal impact directly associated with the approval of the above-listed recommendation.

BACKGROUND AND ANALYSIS

Section 5.03 of the Amphitheatre Lease and Agreement between the City and Shoreline Amphitheatre Partners (SAP) stipulates that "On weekdays, no show shall start before 7:00 p.m. or end after midnight without the prior written consent of the City. On weekends, no show shall start before 12:00 noon or end after midnight" (Attachment 1).

The City has received a request from Shoreline Amphitheatre/CCE (Attachment 2) to present the movie *Tommy* at the conclusion of the Who concert on Saturday, August 7. The anticipated ending time for the movie is approximately 1:15 a.m. on Sunday, August 8.

The presentation of a movie after a concert at Shoreline Amphitheatre has not been attempted in the past. However, postconcert activities (raffles, free coffee and cookies or ice cream) have been offered after July 4 concert and fireworks events to ease postconcert traffic congestion.

Amphitheatre representatives anticipate 3,000 concert patrons will stay to watch the movie.

The movie would be shown on the Amphitheatre's lawn video screens only and only the lawn speakers would be used during the movie. Amphitheatre staff does not anticipate any sound impact issues with neighbors or the surrounding community. However, Amphitheatre management has agreed to limit the average sound level during the movie (as measured at the back of the lawn seating area) to 50 dB(A) to reduce the possibility of sound impacts in

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outlying areas and to conform with the equipment noise limits as prescribed in Section 21.26 of the Mountain View City Code (Attachment 3).

PUBLIC NOTICING

In addition to distributing copies of this report in accordance with the City's standard agenda posting requirements, copies of this report were sent to Shoreline Amphitheatre management personnel, CCE representatives, City staff responsible for traffic and other liaison with Shoreline Amphitheatre, VTA staff and approximately 40 business owners/tenants and residents located in the North Bayshore Area.

Prepared by:

Approved by:

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LF/9/CAM
601-05-25-04M^

- Attachments:
1. Excerpt from Amphitheatre Lease and Agreement Section 5.03
 2. Letter from Shoreline Amphitheatre dated May 11, 2004
 3. Mountain View City Code Section 21.26